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HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10246 of 2025

Manoj Kumar Madhukar S/o Kartikram Madhukar Aged About 41 Years R/o Village Godhna, P.S. Nawagarh, District Janjgir-Champa C.G. ...**Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police Station Nawagarh, District Janjgir-Champa C.G. ... **Non-applicant**

For Applicant	: Mr. Ravipal Maheshwari, Advocate.
For Non-applicant/State	: Ms. Palak Dwivedi, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

21.01.2026

1. This is the first bail application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 502/2025, registered at Police Station - Nawagarh District – Janjgir-Champa (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act.



2. The prosecution story in brief, is that, the police received secret information from an informant, pursuant to which they reached the spot and seized 06 litres of country-made liquor from an open field belonging to the applicant. On the basis of the said seizure and suspicion, the police registered a case against the applicant for the offence punishable under Section 34(2) of the Chhattisgarh Excise Act.
3. Learned applicant submits that applicant is innocent and has been falsely implicated in the present matter, he further submits that as the applicant has no nexus whatsoever with the incident alleged by the prosecution; that he has not committed the alleged offence and has been implicated merely on suspicion, since no incriminating article was seized from his personal or conscious possession that the police authorities failed to conduct a fair and proper investigation and mechanically implicated the applicant despite the fact that he had no knowledge of the alleged seized illicit liquor; that the applicant has been in judicial custody since 15.11.2025, therefore, he prays for grant of regular bail to the applicant.
4. On the other hand, the learned State counsel opposes the bail application and also endorse the submissions made by the learned counsel for the applicant that the present applicant has four criminal antecedents and submits that the charge-sheet has already been filed before the competent Court. He also submits that from the possession of the present applicant 06.000 bulk liters of country made Mahua liquor was seized, therefore, applicant is not entitled for grant of bail.
5. I have heard learned counsel for the parties and perused the case



diary.

6. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, considering the period of detention of the applicant since 15/11/2025, charge sheet has been filed and also considering the fact that trial is likely to take some time for its conclusion, this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Let applicant, **Manoj Kumar Madhukar**, involved in Crime No. 502/2025, registered at Police Station - Nawagarh District – Janjgir-Champa (C.G.) for the offence punishable under Section 34(2) of the C.G. Excise Act, be released on bail on furnishing **personal bond** with **two local sureties** in the like sum to the satisfaction of the court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya



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(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-

(Ramesh Sinha)
Chief Justice